

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

PAMELA D. CLARK,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner of
Social Security Administration,

Defendant.

CASE NO. C10-05566 BHS JRC

REPORT AND RECOMMENDATION

This matter has been referred to Magistrate Judge J. Richard Creatura pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Magistrate Judges' Rule MJR 4(a)(4) and as authorized by Mathews, Secretary of H.E.W. v. Weber, 423 U.S. 261 (1976). This matter is before the Court on the parties' stipulated motion to remand the matter to the administration for further consideration. (ECF No. 19.)

After reviewing the parties' stipulated motion and the remaining record, the undersigned recommends that the Court grant the parties motion, and reverse and remand for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

1 This Court recommends that on remand the Administrative Law Judge (ALJ) shall
2 evaluate further the severity of Plaintiff's impairments prior to December 9, 2008. The ALJ also
3 shall evaluate Plaintiff's mental impairments in accordance with the special technique described
4 in 20 C.F.R. §§ 404.1520a and 416.920a, documenting application of the technique in the
5 decision by providing specific findings and appropriate rationale for each of the functional areas.
6 The ALJ also shall attempt to obtain the psychological evaluations of Dr. Smith and Dr. Joseph
7 (See Tr. 355, 357). The ALJ also shall obtain medical expert testimony in re-assessing
8 Plaintiff's date of disability onset. The ALJ shall evaluate further the medical evidence of
9 record, including the evidence from Peter Okulitch, Ph.D.; Mhairi A. McFarlane, M.D.; Nelle
10 Kesterson, Q.M.H.P.; Nelson Quiroz, M.H.P.; and Asmarawork Measho, F.N.P. Finally,
11 following remand, the Court recommends that the ALJ shall evaluate further Plaintiff's
12 credibility and provide rationale in accordance with 20 C.F.R. §§ 404.1529 and 416.929 and
13 Social Security Ruling 96-7p.
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16 Given the facts and the parties' stipulation, the Court recommends that the District Judge
17 immediately approve this Report and Recommendation and order the case **REVERSED** and
18 **REMANDED**.

19 DATED at this 4th day of March, 2011.
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22 J. Richard Creatura
23 United States Magistrate Judge
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